IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.632 OF 2006

In

CONTEMPT NOTICE OF MOTION NO.1312 OF 1994

In

SUIT NO.642 OF 1989

Moiz Abdul Husein Pardiwala & Ors. : Appellants
(Orig.Defendants)

V/s.

Krishna Murari Mathur : Respondent
(Orig. Plaintiff)

...

Mr.R.D.Soni i/b. M/s.Khaitan & Jayakar for the appellants.

Mr.Vicky Singh i/b. M/s.Thakordas & Madgaonkar for the respondent.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : AUGUST 28, 2006.

P.C.

1. In the impugned order, the learned Judge has recorded thus:

> "In the light of the aforesaid position I do not propose to take action in contempt

and dismiss the motion for the same."

2. The appeal against the said order is not maintainable and is dismissed accordingly.

R.M. LODHA, J.

S.A. BOBDE, J.